

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

RODNEY BETHANY	§	
v.	§	CIVIL ACTION NO. 9:08cv104
FRANK REESCANO, ET AL.	§	

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE

The Plaintiff Rodney Bethany, proceeding *pro se*, filed this civil rights lawsuit under 42 U.S.C. §1983 complaining of alleged deprivations of his constitutional rights. The lawsuit was originally referred to the undersigned United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

On August 14, 2008, the undersigned Magistrate Judge issued a Report recommending that the Plaintiff's motion for a temporary restraining order or preliminary injunction be denied. The parties have now consented to allow the Magistrate Judge to enter final judgment in the proceeding, and the lawsuit has been transferred to the docket of the undersigned Magistrate Judge for entry of final judgment in accordance with the consent of the parties. 28 U.S.C. §636(c).

The Plaintiff filed objections to the Report recommending denial of the request for injunctive relief. A *de novo* review of these objections show that these are lacking in merit and that the Report as issued is correct. It is accordingly

ORDERED that the Plaintiff's objections are overruled and that the Report of the Magistrate Judge is ADOPTED for all purposes as the opinion of the Court. It is further

ORDERED that the Plaintiff's motion for a temporary restraining order or preliminary injunction (docket no. 11) is hereby DENIED. Finally, it is

ORDERED that the Plaintiff's motion to expedite consideration of his request for injunctive relief (docket no. 20) is DENIED as moot.

So **ORDERED** and **SIGNED** this **29** day of **December, 2008**.



JUDITH K. GUTHRIE  
UNITED STATES MAGISTRATE JUDGE